

HUANG Zongxi as a Republican: A Theory of Governance for Confucian Democracy

Elton Chan¹

Published online: 2 April 2018

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Abstract Confucianism has been historically intertwined with authoritarianism in general and monarchy in specific. Various contemporary attempts to reconcile Confucianism with democracy have yielded controversial results mostly due to the theoretical tension between the authoritarian character of the former and the liberal one of the latter. This article seeks to develop an alternative route to Confucian democracy by drawing from HUANG Zongxi's 黄宗羲 *Waiting for the Dawn: A Plan for the Prince (Mingyi Daifang Lu 明夷待訪錄)*. In this well-known work, Huang argues for a form of limited government that is built upon laws, political protection of academic freedom, good institutional designs, and separation of governmental powers. While these features seem to qualify Huang only as a defective liberal, this article argues that they are in much coherence with the insights of republicanism concerning good governance. This article will argue that the republican themes embodied in *Waiting for the Dawn* can justify and support a particular form of Confucian republican democracy.

Keywords Confucianism · Republicanism · *Waiting for the Dawn* · HUANG Zongxi 黄宗羲 · Democracy · Constitutionalism

1 Introduction

The future of Confucianism as a political force depends on whether it can be successfully reintegrated into the modern political order. Democracy, in one form or another, is one of the most likely platforms for such reintegration to take place. As Joseph Chan describes, however, the relationship between Confucianism and democracy is at best an uneasy marriage: the former as a comprehensive philosophical tradition consists of

✉ Elton Chan
elton.chan@yale-nus.edu.sg

¹ Social Sciences Division, Yale-NUS College, 10 College Ave West, #01-101, Singapore 138609, Singapore

tenets that are in tension with the core values comprising the system of democracy (Chan 2014: 83). Of course, ever since Huntington proclaimed that Confucian democracy is a term in contradiction (Huntington 1991: 110), those who sympathize with the possibility of conjoining the two have made significant progress in resolving the corresponding tension. Nonetheless, the gulf between liberal democracy and traditional Confucianism still appears so wide that proposals of reconciling them are sometimes criticized as either too thin in their adaptation of Confucian values, or too thick, to the extent that the substantive content of Confucianism (such as emphasis on social hierarchy and community) end up in significant tension with liberal democracy. The more successful versions, in general, rely on appealing to certain goals or spirit enshrined in Confucianism which are compatible with the function of democracy (Chan 2007: 187–190; Bell 2006: 152–179; Tan 2007: 144–148; Kim 2011: 398–399). This article, however, aims to explore an alternative line of argument: that Confucianism, in fact, contains enough ideas to be constructed as a robust political theory that can support the practice of a democratic system.

To this end, rather than building a political theory from the ground, I will draw from HUANG Zongxi's 黄宗羲 classic *Waiting for the Dawn: A Plan for the Prince* (*Mingyi Daifang Lu* 明夷待訪錄). Since Theodore de Bary's English translation and critical introduction of this systematic political treatise, Huang's ideas have attracted substantial attention from the field of political philosophy (Tan 2012, Chu 1994, Ng 1996, Madsen 2002). Huang is often fashioned as a representative of the liberal strand of Confucianism (Madsen 2002: 197), while de Bary even describes Huang's thought as a form of constitutionalism (Huang 1993: 52). This article departs from such tradition of interpreting Huang's idea with a liberal lens. Rather, I contend that *Waiting for the Dawn* should be construed as the prototype of a Confucian republican political theory: the plans laid down by Huang are so similar to the various components of Western republicanism which can shape the particular practice of democracy. My intention is not to argue that Huang's ideas alone are enough to develop a republican democratic system; the word "prototype" indicates that his ideas are indeed incomplete as a form of republicanism. The obvious proximity between the two nonetheless shows that there are significant potentials for using Huang's treatise as the skeleton to support the practice of republican democracy.

In the following, I will first briefly introduce *Waiting for the Dawn* and the general critical reception of the text. I will then go on to explain how, although it is possible to interpret Huang's ideas from the lens of liberalism, the defects and limitations are too significant to be ignored. On the other hand, I argue that there are many similarities between the ideas in *Waiting for the Dawn* and republicanism, concluding with illustrating the implications of Huang's theory for the development of Confucian democracy.

2 HUANG Zongxi and His *Waiting for the Dawn*

Witnessing the last decades of decline and the eventual collapse of the Ming 明 dynasty in 1644, HUANG Zongxi's life experience was likely one of the most important factors prompting him to reappraise the dynastic politics that had long been informed by Confucianism (Sun 2008: 38–67). His political career was comprised of first-hand

experiences in political struggle, severe corruption, the invasion of the Manchus, and the myriad problems which eroded the foundation of the dynasty. Such experience in politics was reflected in the realist flavor of his political writing. Instead of relying solely on the moral character of leadership, he is particularly concerned with establishing a political order that is conducive to good governance. To Huang, politics is a realm driven by forces as varied as brute power, institutions, and rational calculations, as well as virtues and prudence. Politics is treated as a realm that is independent of ethics, though not cut off from it.

Huang's book was a political endeavor that was sensitive to the constraints of the harsh non-ideal world; it is not a sheer intellectual speculation that could afford ideally favorable assumptions. It was finished in 1663, after all of Huang's efforts to revive the Ming dynasty had failed. Indeed, it was only when he had no chance of implementing his political views that he chose to write on the various topics of governance, so that future political leaders could act on his advice. In the preface, Huang wrote, "Old though I am, it may be that I ... could still be visited by a prince in search of wisdom" (Huang 1993: 90). Intended as a blueprint to be carried out—as opposed to a flowery portrayal of an ideal political society—*Waiting for the Dawn* sought to take problems in politics and human society as they were, in order to devise the relevant solutions.

The scope of Huang's book is extensive; for the purpose of this article, we will cover Huang's ideas in a thematic manner rather than by topic. The topics include the nature and justification of political authority, the central government system, the role of laws and institutions, the role of intellectual institutions, officials selection mechanism, land system, national defense, central-local relations, finance and, indeed, many more. Such a wide coverage indicates Huang's comprehensive vision of the political order practicable for good governance. The seemingly scattered topics, however, were in fact guided by a few central principles that run through the entire book. In the following, I argue that these principles are remarkably similar to the tenets endorsed by Western republicanism, allowing a version of Confucian republicanism to emerge.

Before moving on to the next section, however, it must be emphasized that Huang's idea could not represent the entire tradition of Confucianism, nor can his ideas be viewed as a straightforward representative of the mainstream. Huang's ideas were important in understanding Confucianism exactly because they were unconventional. Pained by the collapse of the dynasty, the suffering of the people, and the corruption of the government, Huang's ideas represented a serious, soul-searching effort to reorient Confucianism as a political philosophy. It was only by unabashedly confronting the systematic problems internal to the tradition that it was possible to open up new possibilities for Confucianism's development as a viable guiding political philosophy. Thus although Huang's ideas could not represent the mainstream of the tradition, I contend that they should still be understood as an important strand of Confucianism: much like the present study, *Waiting for the Dawn* represented the reform-minded minority aimed at improving the tradition from within.

3 The Constitutionalist Interpretation and Its Limitations

A commonplace, but inadequate, reading of *Waiting for the Dawn* is that Huang seems to be advocating a quasi-liberal constitutional political order, in the sense of imposing

limits on the government. Under constitutional rule, the power of the government is derived from and constrained by the constitution (Schneider 2011: 47–48). Arbitrary power is curbed by the specifications and limitations imposed by the constitutional laws and enforced by the court (Tamanaha 2004: 96–99). Constitutional rule is often associated with the separation of executive, legislative, and judiciary powers, of which terms of reference would be laid out in the written Constitution. Nonetheless, the ready example of Britain shows that such features are not necessary components: Britain has no written constitution even as most powers are concentrated in the sovereign body of parliament. The essence of constitutionalism, therefore, rests with the *spirit* of a limited government rather than on any particular forms of governmental institution (Vile 1998: 1–22; Epstein 2014).

In this light, the themes in *Waiting for the Dawn* do bear some similarities with constitutional rule. First, Huang proposes a number of measures and institutions that seek to limit the manner and extent of power exercised by the emperor. Institutionally, he argues for the reestablishment of a powerful office, the prime ministership, for both daily running and major decision-making of the government, rather than having the emperor directly head the bureaucracy. Thus Huang recommends that “the presentation of all memorials to the emperor should be handled by the supervising secretaries of the Six Offices of Scrutiny. They should explain matters to the prime minister, and the prime minister should explain them to the emperor” (Huang 1993: 103). The prestige of this office of prime minister is to be enforced by the proper ritual norms, such as the emperor showing respect and at times deference to the prime minister; for instance, “when a minister bowed to the emperor, the emperor always bowed in return” (Huang 1993: 101). Normatively, Huang argues that the obedience of government officials to the emperor is conditional upon the supposed benefits, brought by the emperor’s commands, to the overall interest of the state (Huang 1993: 95). Although loyalty to the emperor remains an important virtue, Huang rejects equating personal loyalty to the emperor with obedience. Instead, he sees all public office to be justified, thus mediated, only by their function of facilitating good governance. As Huang insists, “the terms ‘prince’ and ‘minister’ derive from their relation to all-under-Heaven,” so one can be deemed a proper official only if one has “regard for serving the people” (Huang 1993: 96). In other words, officials are under no moral obligations to follow commands that are damaging to the state. It would not therefore be exaggerating to say that Huang’s proposal in *de facto* seeks to curb the arbitrary power of the monarch through both institutional means and the corresponding political culture.

More importantly, the stringent limitation of governmental power is demonstrated through the central importance Huang ascribes to the laws. Such affirmations are indeed unconventional in the tradition of Confucianism, which is after all famous for its distrust of the efficacy and desirability of laws. Both Confucius and Mencius find laws to be an inadequate tool for governance, whereas Xunzi 荀子 even describes the law thus: “There are men who can bring order about, but there are no laws that will produce order” (*Xunzi* 12.1). Against this conventional wisdom, Huang holds laws to be crucial to good governance because, despite all the innate shortcomings, no government can avoid using laws as instruments of policy execution (Huang 1993: 98). For Huang, the crux to good governance therefore lies in the question of whether there is a good design of legislation, rather than whether one relies on laws. Thus directly in response to Xunzi, he said, “Only if there is governance by law can there be governance

by man” (Huang 1993: 99). In this light, Huang distinguishes genuine laws, which are established for the good of the people, from the “unlawful laws,” which are arbitrarily decided on the ruler’s whim or for his selfish interests. As Huang criticizes, “the laws of later times have ‘safeguarded the world as if it were something in the prince’s treasure-chest.’ It is not desired that anything beneficial should be left to those below, but rather that all blessings be gathered up for those on high” (Huang 1993: 98). In effect, although what count as genuine laws are subjected to discussion and debate, the objective political status of laws is itself assured to have priority over the emperor’s arbitrary whim.

Third, Huang proposes to impose restraints on the scope of governmental power to protect free intellectual pursuit (at least for Confucian scholars) from political intervention. When the state controls the educational system, which coincided with government official selection process, the court can easily shape the opinion of Confucian scholars simply by way of an incentive structure that punishes dissenters and rewards flatterers and sycophants to the emperor’s whim. Even if one is ready to give up public office in pursuit of education and intellectual development in private academies, the state can still easily attack the dissenting institutions and individuals. Emerging from the sanguinary factional power struggles between Confucian scholars and the eunuchs who had the emperor’s favor, Huang was acutely aware of the distorting effects and dangers of placing unlimited political power in the hands of the government over intellectuals (Sun 2008: 64–65). In the face of such political reality, his proposal emphasizes the protection of Confucian scholars mainly through three measures: (1) a new official strand of school should be set up with the leadership appointed by scholars rather than the court, thus institutionally barring direct governmental interference from the new schools; (2) the new strand of school is acknowledged to be an advisory body to the government, thus institutionally securing the scholars’ role to offer dissenting opinions on policies; and (3) as a ritual practice, every month the emperor will listen to a lecture, as a student, by the headmaster, so as to consolidate the political position of the school by establishing its prestige (Huang 1993: 106–107). The aim is to institutionally ensure that “even the Son of Heaven dare not to decide right and wrong for himself, but share with the schools the determination of right and wrong” (Huang 1993: 104).

The distrust of arbitrary power testified in the above measures shows that Huang supports a form of government that is limited by institutional arrangement. To put it in contemporary terms, *Waiting for the Dawn* may be said to lay out a version of constitutional government. For de Bary, what Huang offers here is “a constitutional program resembling, in some important respects, the constitutional system of the modern West” (Huang 1993: 54): the mission of curbing tyranny relies on institutional efforts, rather than solely on the cultivation of the ruler’s moral good will. Despite this sympathetic reading, however, even de Bary would accept that this form of constitutional government is different from its counterpart in the West. The question therefore remains: if this is a form of constitutionalism, what kind of constitutional rule is it? De Bary has addressed this issue simply by naming it “Confucian Constitutionalism” (Huang 1993: 65), but this label seems to indicate nothing other than its obvious departure from the constitutional rule in the West. In the following, I will explore two further possible interpretations of

this “constitutionalism”—the liberal and the republican—and illustrate why Huang is more a republican prototype than a defunct liberal.

4 The Unlikely Liberal Interpretation

Constitutionalism is commonly viewed from a liberal perspective, especially as liberals have utilized constitution as their major institutional device since the 19th century. A liberal constitution is mainly concerned with the delimitation of governmental power primarily to the purpose of administering justice. The philosophy behind recognizes each person as a free and equal individual participating in a joint cooperative enterprise for goals that cannot otherwise be achieved. Therefore, as a matter of justice, the liberal constitution needs to balance the need for collective action and its respect for the individual realm that should be beyond the collective reach. To this end, liberals have emphasized individual freedom vis-à-vis the coercive power of the state; they have also paid much attention to the division between the public and private realms, treating the latter as inviolable, most demonstrably in specifying a series of individual rights that enshrine the protection of individual privacy and freedom (Epstein 2014: 322–330; Hayek 1963: 11–21). These rights are often entrenched in legislations that can be enforced by courts. In other words, a liberal constitution is not composed only of the institutional delimitation of governmental power; it is also geared toward entrenching the boundary between the public and the private, thus designating not only what is due to the reach of collective action, but also protecting what is due to the private individual from the collective state. With this understanding of the liberal constitution in view, HUANG Zongxi is far from an advocate.

Despite all the heavy emphasis on limiting, through institutions, the power of the government in general and that of the emperor in particular, *Waiting for the Dawn* falls short of constraining the ultimate prerogatives of the emperor who is sovereign. In his proposal for institutional arrangement, the emperor continues to enjoy the power of final decision-making on all matters; institutional limitations do not constrain the emperor any more than other policy enacted by the positive laws, which can be altered by the emperor at will. In other words, although these institutional limitations are officially in place, they are effectual only so long as the sovereign is willing to keep it unchanged. Therefore, from the constitutional point of view, these institutional constraints do not so much constrain the emperor as they rely on his voluntary compliance, or at least toleration.

Second, for all HUANG Zongzi’s recognition of the importance of the law, it would be misleading to depict such acknowledgment as anything on par with the rule of law in the West. There is no due process of law with regard to general institutional features, which would guarantee fair trials to all parties. Rather than treating the law as fair rules that delineate private and public responsibilities, the laws continue to function as an auxiliary in support of political governance. Thus the legal system proposed in *Waiting for the Dawn* does not in fact admit an independent judiciary with the capacity to check the government officials from the outside. Instead, they function as important policy tools enabling virtuous officials to govern well. As Huang emphasizes, “If the Law of the early kings were still in effect, there would be a spirit among men that went beyond the letter of the law. If men were of the right kind, all of their intentions could be

realized” (Huang 1993: 99). Put simply, laws are the main tools and platforms for political leaders to engage in proactive governance, not basic ground rules that delimit the social and political space for individuals free to pursue their own life goals.

To be fair, Huang indeed holds laws as a kind of fail-safe that limit bad leaders so that they cannot cause significant damage to society; thus he says, when good laws are in place, “even if [the officials were not of the right kind], they could not slash deep or do widespread damage” (Huang 1993: 99). As such his proposal does resemble the function of liberal constitution. Yet if we are to take into account Huang’s minimalist attitude toward legislation, it is clear that this fail-safe function of the law only strengthens the impression that laws are more policy tools for leaders than ground rules for delineating the public and the private realms. When depicting “the good Laws” made by the early kings, Huang points out the way in which “the looser the law was, the fewer disturbances that arose. It was what might be called ‘Law without laws’” (Huang 1993: 98). There remains still a great deal of distrust of nature of laws: in spite of all the defense of the necessity of laws, they are inherent threats to peace and harmony in society. The early kings only set up “the Laws” because laws are necessary for promoting policy goals, such as facilitating general education, material welfare, and collective security for the people (Huang 1993: 97). In other words, “the Laws” in Huang’s proposal resemble policy intervention, rather than ground rules that separate the public from the private. Good laws indeed can limit bad rulers, but such limitation is achieved mainly by keeping intervention (i.e., laws) minimal and simple. Even if such a proposal can be construed as a form of limited government, it is so in the sense of being limited in scope, rather than being limited by ground rules—a crucial feature of rule of law.

Finally, the constitutional rule proposed by Huang could not be a liberal one because it does not give priority to respect for individual freedoms. This is not only because there is no mention of any right-based mechanism that protects individual freedom in Huang’s book, but more so because Huang has no problem with the state’s practice of limiting individual choices by force. In his proposed plan, Confucian intellectuals are to be protected from political power as a matter of course, while other schools of thought such as Buddhism and Daoism can be subject to attack. HUANG Zongxi suggests that all the monasteries of Buddhism and Daoism are to be converted into Confucian schools. Monks are to be sent back to the schools for reeducation (Huang 1993: 106). He even proposes burning books that are not conducive to good governance by the Confucian yardstick (Huang 1993: 107). Although this can be viewed as part of the long-standing conflict between Buddhism and Confucianism, this particular instance demonstrates clearly that HUANG Zongxi is not at all concerned with the use of institutions to protect individual development from the distorting effects of political coercion. On the contrary, his concern is to bring about a form of good governance of the state. Both the protection from political power and, conversely, the use of coercion are but mere means, contingent upon the purpose of accomplishing good governance. In other words, the institutional checks on the government, when present, are not installed for protecting the individual realm from the collective reach, as in the case of a liberal constitution.

Consequently, if one is to interpret the constitutional rule proposed in *Waiting for the Dawn* from the liberal perspective, these illiberal characteristics clearly demonstrate the inadequacies in HUANG Zongxi’s liberalism. Huang can be, at best, a defunct liberal,

with nothing substantial to offer in the process of synthesizing Confucianism with the modern politics of democracy. Such a reading, however, underestimates Huang's potential contributions in offering a robust theory of governance, one that calls for an alternative interpretation from a different political perspective. What if Huang is not so much a defunct liberal as he is a prototypical republican?

5 The Traits of Republicanism in *Waiting for the Dawn*

Republicanism as both a political philosophy and a tradition is different from liberalism, though the two certainly share some institutional features. Dated back to the age of the Roman Republic (BCE 500s), republicanism stands as one of the most long-lasting political traditions that influenced not only general political practices but also the development of constitutional rule in the West (Honohan 2002: 6–17). Its dominant position came to an end with the concurrent rise of liberalism in the 19th century, but various institutional and constitutional mechanisms first advanced by republicans have been adopted by liberals with significantly different emphases and purposes (Kalyvas and Katznelson 2008: 176–181). It is for this reason that both traditions support some versions of the separation of power, the rule of law, and popular participation. For instance, the representative system of government is born out of the republican argument for a mixed regime, which emphasizes that a regime is less likely to become corrupted if its power is divided and given to a mixture of one man, a few, and many (Inglis and Robertson 2006: 6–7; Shumer 1979: 11–12). Viewed this way, a representative democracy, strictly speaking, is not a democracy; instead, it is a mixed regime in which the people will exercise their power only through the power of the few elected representatives. The similarity between the constitutional and institutional arrangement of republicanism and liberalism, however, should not obscure the fundamental difference between two traditions. Unlike the liberals who seek to limit collective power in the name of protecting the private, republicans are primarily concerned with proactively engaging in a collective effort that would enhance good governance (Maynor 2003: 13–15; Haakonsen 2007: 730–731; Labore and Maynor 2008: 8–9). In the republican version, while *some* protection of the private is part and parcel to good governance, it holds no lexical priority over other objectives. Therefore, republican thinking is preoccupied with finding ways to harness political power, which is necessary for good governance while at the same time always threatening to the well-being of all.

For this reason, despite the existence of divergent and competing strands of republicanism, the tradition is marked with a set of stable common features; such features, I will show later, are present also in HUANG Zongxi's thinking. First and foremost, a republic is, in essence, a *res publica*—a public thing (Radford 2002: 28), a business and property that belongs to all the constituent members of the political community. Second, as a corollary, the primary objective of republicanism is to bring about the “common good,” notwithstanding the possible competing interpretations of it (Honohan 2002: 147–179; Peterson 2011a: 21–27). Third, republicanism's emphasis on the mixed regime is predicated on the insight that, if a community is to avoid corruption and abuses, power must always be challenged, checked, and balanced by an independent, opposing power, to the effect that neither one is able to dominate the other, or vice versa (Pettit 1999: 206–241; Shumer 1979: 12–18). Fourth, the exercise

of power in pursuit of the common good should be guided by civic virtues inculcated in the citizenry, so that they will stand up in defense of justice and the common good when necessary (Xiao 2013: 3–5; Honohan 2002: 147–179; Haakonssen 2007: 729–730; Dagger 1997: 48–51). Fifth, elite leadership is indispensable to good governance. Finally, freedom of the people is part of the pursuit of good governance (Pettit 1999: 80–109, 2012: 26–74; Rogers 2008: 801–805; Vinx 2010: 816–817).

It is not difficult to see a remarkable resemblance between these features of republicanism and the image of good government in *Waiting for the Dawn*. For one thing, similar to the republicans' insistence on political community being the public property that exists for the common good, *Waiting for the Dawn* posits the political community as that which belongs to all the constituent members, in the sense that the existence of such a community is justifiable only to the extent that it serves the interest of its members. In Huang's account, the political community is not a natural state in which the people are naturally subjected to a ruling class. On the contrary, he postulates that people once lived in a stateless condition similar to the state of nature in social contractarian theories. As Huang depicts, "In the beginning of human life each man lived for himself and looked to his own interests. There was such a thing as the common benefit, yet no one seems to have promoted it; and there was common harm, yet no one seems to have eliminated it" (Huang 1993: 91). In this natural state, people are concerned with only interests and harms that affect themselves. While no contract was made, the political community eventually emerged by virtue of the initiative of some virtuous individuals who began to see beyond self-interests and avoidance of harm. The leader established his position by including others into his concern, treating the harms and interests of others as if they were his own. It is based on this vision that Huang criticizes "those who became princes.... They believed that since they held the power over benefit and harm, there was nothing wrong in taking for themselves all the benefits and imposing on others all the harm. They made it so that no man dared to live for himself or look to his own interests. Thus the prince's great self-interest took the place of the common good of all-under-Heaven" (Huang 1993: 92). Political power is created for the sake of protecting the interests of the ruled; should the regime fail to fulfill this function of safeguarding the common good, the legitimacy of the regime will seriously deteriorate, to the point that it becomes justified to overthrow the leader as if he is the people's "mortal foe" or "just another guy" (Huang 1993: 93). In other words, as Huang sees it, the political community is a property of the people in the sense that it exists for the service of the common good shared by all constituent members of the community. If the republic is a form of political community that, as Peterson suggests, "seeks to accommodate private interests that individual express in a manner that channels them into the common good" (Peterson 2011b: 69), then HUANG Zongxi's account of the purpose of political community bears the significant mark of republicanism.

Second, the insight of republicanism that power must be constrained by opposing power is found throughout Huang's book. This refers not only to practical measures such as the proposed institutional constraints mentioned in the previous section: the establishment of the prime minister office, which would limit the extent of the emperor's power (Huang 1993: 110–113). Instead, the limitation of governmental power is an important spirit that runs through the book's political plan. Huang emphasizes decentralizing power in many aspects: the emperor's power to be shared

by the ministers (Huang 1993: 94–96); the decision-making power to be shared by the central and local governments (Huang 1993: 160–164), and the advisory power to be shared by officials and scholars (Huang 1993: 106). This spirit of the balance of power extends even beyond official institutional arrangement: the legitimacy of armed rebellion is endorsed as a way to redress the regime's abuse of power (Huang 1993: 93), especially while such rebellions are not merely treated as a last resort, but also as a powerful threat to be factored into the ruler's calculations of his behaviors. If the ruler prioritizes selfish interests over the common good, Huang argues, the ruler effectively puts himself in grave danger, because "the cleverness of one man is no match for the greed of all. At most, it can be kept in the family for a few generations, and sometimes it is lost in one's own lifetime unless indeed the life's blood spilled is that of one's own offspring" (Huang 1993: 93). The threat of rebellion, therefore, creates the circumstances in which the enlightened self-interest for the ruler is to strive for the common good. In a similar vein, putting opposing powers in contest is one of the key republican measures for generating good governance. As John Adams puts it, "orders of men, watching and balancing each other, are the only security; power must be opposed to power, and interest to interest" (Adams 1787: 346). Both republicans and HUANG Zongxi would agree that, rather than seeking to remove completely the ruler's motivation of abusing power, it is much more effective to induce good use of power by subjecting it to the challenge of an opposing force.

This realist attitude towards human beings' concern for self-interest extends to the rationalist design of institutions in *Waiting for the Dawn*. Contrary to the general impression of Confucian scholars, Huang does not find the encouragement of virtues sufficient for securing proper behavior of ordinary people. The designs of institutions, therefore, incorporate incentive structures that function on the basis of the general likes and dislikes of human beings: "To rule the land well, one must take into account the inherent tendencies of any particular system. If it is basically unsound and subject to abuse, then no matter what prohibitions one enforces, there are always some evils or abuses that cannot be stamped out. If, however, it is basically sound and not subject to abuse, the stamping out of abuses is accomplished without the need for prohibition" (Huang 1993: 162). Such an approach needs not view people as monsters, nor are they assumed to be morally good. Instead, they are taken to be rational individuals who will constantly act on their self-interest. Such an assumption echoes with republicans' insight that institutions should be designed without assuming participants to be particularly good. After all, as Madison said, if men are angels, there is no need for the government (Genovese 2010: 120). Instead of relying on individual good will, republicanism advocates institutional designs that are conducive to good behaviors of the participants. Philip Pettit has made a strong case on this point: taking judges of court as example, he argues that instead of relying on robust virtues, proper behaviors of a judge can be better secured by a clear brief of professional duties, a proper auditing system, a corresponding set of regulation and penalty, and the prospect of public defamation should the judge be caught corrupted (Pettit 2012: 236–237).

This rationalist attitude shared by Huang and republicans indicates that, although the rule of law is not advocated in *Waiting for the Dawn*, Huang's understanding of the law at least partially overlaps with that of republicans. As mentioned above, Huang sees laws as policy tools to be utilized, rather than to be respected as due process of ground rules that differentiate the rights and duties of the private and public realms—this function of the law is no less emphasized by the republicans. When institutions are set

up and specified through legislations, the laws serve not only as the due process that ensures fairness; they are also supposed to be an ingenious design capable of channeling individuals' rational pursuits of self-interest into a practice that is conducive to the common good (Honohan 2002: 20–21; Maynor 2003: 57–59; Shumer 1979: 11–2). In this sense, Huang's understanding of "Lawful Laws" as a scheme that enables the common good and moral development of the people is, remarkably, congruent with the republican view of laws and institution.

Such congruence between Huang and the republican tradition extends further to the commitment to the improvement of the quality of the people. Huang's hostility towards non-Confucian schools of thoughts was to a large extent driven by his passion for the moral development of the people, for which it is necessary to support a collective scheme of moral cultivation powered by political force. If we set aside the extremist flavor of his proposal, it appears that such a commitment is no less shared by republicans, who have long held that it is within the government's right and duty to institute robust civic education so as to secure the health of the republic. The lack of consensus among republicans on how substantial such civic education should be does not obscure its distinction from the liberal neutralist view that the government should refrain from taking sides on the issue of values (Peterson 2011b: 68). Cultivation of civic virtues is crucial not only because they are, at times, considered to be constituting a valuable lifestyle, but more importantly because they play a pivotal role in maintaining the health of a republic (Dagger 1997: 13–17; Maynor 2003: 121–124). Similarly, in Huang's account, the promotion of Confucian values is important not solely because they are considered to be moral truth, but also because virtues such as courage, righteousness, and the sense of propriety are favorable to achieving good governance. Thus Huang suggests the school should be responsible for establishing an orderly society based on Confucian rituals (Huang 1993: 109).¹ Consequently, the views of Huang and republicans on the issue of collective improvement of the people may be said to form a continuous spectrum. On the one hand, Huang's passion for the moral cultivation of the people into better human beings is only partially shared by some republican scholars. On the other hand, if few republican scholars would agree to forcefully attack schools of thought that do not share the values promoted by the state, most republicans would likely be sympathetic with Huang's emphasis on the practical function of virtue cultivation for any healthy polity. Overall, then, Huang and republicans agree in the fundamental belief in the right and duty of the state to initiate politically some form of robust civic education with the purpose of cultivating the general public.

In view of these similarities, it seems reasonable to describe HUANG Zongxi as a prototypical republican rather than a defunct liberal. What seems to be defective features from the liberal point of view are in fact components congruent with republicanism. While the institutions proposed by Huang do not limit sovereign power the way a liberal constitution can, such proposals do carefully differentiate and juxtapose forms of power that are and should be mutually constraining. Likewise, laws in Huang's account do not enjoy the same level of prestige and authority they do in the liberal rule of law, but the

¹ Huang's vision of an orderly society, promoted by the education of the schools, is supposed to strictly follow ritual propriety. He says, "If in any area there are unorthodox sacrifices, or if unauthorized clothing is being worn, or if useless things are sold in the marketplace, or if the dead lie unburied on the ground, or if actors' songs fill men's ears and the streets are full of vile talk, then the school superintendent is not performing his function properly" (Huang 1993: 110). While one may disagree with the desirability of this vision, it is obvious that Huang believes a public education system is responsible for securing a well-ordered society.

rationalist approach to their functions resembles many of the insights of republicanism. Huang's attacks on Buddhism and Daoism disqualify him from any claim to liberal freedom, which guarantees state neutrality, but the motivation behind this perfectionist attitude is not all too different from the republican commitment to civic education. In other words, *Waiting for the Dawn* can be understood as a form of constitutional rule, but its fundamental features resemble closely that of the republican rather than the liberal version.

6 Implications

If we accept the claim that Huang's political proposal closely resembles many republican tenets, then even if his theory is not readily democratic, as some of the 20th-century Chinese thinkers have hoped, his theory may nonetheless connect Confucianism and democracy in a meaningful way.² Might Huang's ideas be the key component in the direction for a new development of political Confucianism, that is, toward building a version of Confucian republican democracy?

Although Huang's books shows strong anti-tyrannical sentiments and sympathies for the people, his theory is not readily democratic because the sovereign power is not placed in the people's hands either in theory or in practice. The political community in Huang's vision is understood as belonging to the constituent members: "All-under-heaven were considered the master, and the prince was the tenant. The prince spent his whole life working for all-under-Heaven" (Huang 1993: 92). As such, it does bear some resemblance to the notion of popular sovereignty in democracy. However, the term "master," translated from the Chinese term *zhu* 主, does not necessarily entail the argument that political authority should be in the hands of the people. In no circumstance would Huang accept the notion of the people commanding the prince, as in the expectations of democratic citizens that their elected representatives should follow their wishes, or that they can bypass representation altogether through referendum. Rather than "master," the term *zhu* here is better interpreted as the one who enjoys primary benefits from the political community, that the purpose of the office of the prince is subservient to the interests of the people. In other words, if the people are master at all, they should be understood as master to whom the prince has fiduciary responsibility while the latter continues to enjoy major and final political authority. Consequently, despite Huang's emphasis on the people as the foundation of political community, his theory should not be interpreted as readily democratic, which stipulates that the people hold equal right to rule.³ These initial differences, however, do not disqualify Huang's

² Huang has been deemed as an important inspiration for democratic reform in the early 20th century (Sun 2008: 284–334). Thinkers like LIANG Qichao 梁啟超 were enthusiastically attracted to the "On Prince" ("Yuan Chen 原臣") chapter of *Waiting for the Dawn*.

³ On this point concerning the differences between HUANG Zongxi's theory and democracy, de Bary holds a similar view: "By having made allowances for the historical situation, there are still some deep-seated differences between HUANG Zongxi and Western proponents of 'government by the people.' In spite of his emphasis on law and quasi-constitutional order, the prime minister to whom he would grant great powers and the ministers whom he calls servants of the people are still to be appointed by the ruler, not elected. Similarly although he denies that 'the principle of monarchy is inescapable,' his denial implies only that a tyrant maybe overthrown; he does not specify how else the ruler may be chosen except that somehow it should be done through a consensual process" (Huang 1993: 57).

theory from being combined with democratic forms of governance, thus building a new Confucian republican democracy.

This combination is possible partly because democracy was not a constitutive element of republicanism; rather, it is a system adopted by republicans in modern times. Although some form of the electoral system was introduced as early as the Roman Republic, these elections (for offices like the Magistrates and Consuls) are decidedly aristocratic rather than democratic (Buttle 2001: 345). In other words, it is possible for one to be republican without being a democrat; after all, classical republicans like Cicero and Machiavelli can hardly be described as democrats. The modern recognition of political equality—in the form of equal political weight in each vote universally given to all sane adults—did not come into being until the 20th century. Instead, the mark of a republican is the pursuit of a robust political community that promotes and preserves the common good. A republican may acknowledge the intrinsic value of democracy such as equality, but it is only the instrumental, not inherent, value of democracy that is crucial to republicanism. In this case, although Huang's political proposal is nowhere close to being a democratic theory, it is nonetheless entirely possible for his version of Confucianism, understood as a form of republicanism, to adopt a democratic system in the same way Western republicans did.

This new version of Confucian democracy can be considered as a strand of republican democracy rooted deeply in indigenous Confucian ideas. It is republican because it is constituted by features such as checks and balances, civic education, rational institutional design, and the priority of the common good. It is Confucian because these features are grounded on the ideas and principles elaborated in *Waiting for the Dawn*. Rather than merely borrowing from Western republicanism, we might begin to form a new republican democracy that is particularly Confucian.

First, through civic education, a Confucian democracy will emphasize cultivating citizens with Confucian virtues, such as benevolence, righteousness, sense of propriety, credibility, and sincerity. These virtues will be cultivated in a relatively substantive manner. For a republic to be healthy, it is important to fill the ranks of citizenry and leadership with people of a sound intellectual and moral upbringing. Confucian virtues, especially in the political sense, have been designed and developed specifically to habituate those with political power to act responsibly and prudently. In democracy, as citizens are the bearers of political power, from a Confucian perspective it remains equally important to cultivate them with virtues.

Second, elected officials in Confucian democracy will be deemed leaders rather than mere representational figureheads of the constituency. As Huang argues, ministers should not be understood as the servants of the emperor because they have joined the emperor only in pursuit of the common good of all-under-Heaven. After all, “when goes forth to serve, it is for all-under-Heaven and not for the prince; it is for all the people and not for one family” (Huang 1993: 94). They are not personally responsible to the sovereign, that is, the emperor. If the emperor gives an order that is contrary to the common good, ministers are obliged to remonstrate against the emperor, or even refuse to comply (Huang 1993: 96). The situation is slightly more complicated in the case of democracy because the officials are elected by the people; as such, they are in a sense directly accountable to the people. From the republican perspective, however, all political power exists only for the common good—for any citizen to exercise their power for mere selfish ends, or even at the expense of the common good, essentially

constitutes an abuse of political power. After all, *res publica* is the public business, which is opposed to a private enterprise. Confucian republicanism will hold elected officials accountable to the sovereign body, namely the citizens, in the same manner as officials were held accountable to the sovereign (i.e., the emperor), which stipulates certain respect to the sovereign's will on the condition that the sovereign is pursuing the common good. The elected officials under a Confucian republican democracy are not servants of the public; they are leaders who lead and collaborate with the citizens towards the common good.

Finally, meritocracy will continue to play a significant role in the Confucian republic despite the acknowledgment of political and moral equality under the democratic system. An important feature that runs through Confucianism in general and Huang's political proposal in particular is that leadership positions should be assigned only to the most capable and virtuous. As a result, Huang pays special attention to reforming the civil service examination system and the school system, both essential to the cultivation of ruling elites (Huang 1993: 104–121). Under the democratic system, however, the assumption that all men are equal easily leads to the belief that all are equal in all aspects. By contrast, Confucians in general recognize that some people are more virtuous than others; according to Huang, more virtuous people do exist and can be appointed to important political and educational roles so long as there is a proper selection mechanism.⁴ A democratic system that premises on the equal voting right of citizens renders it very difficult to maintain a degree of meritocratic governance: with equal voting rights to each, democracy does not guarantee meritocratic rule through institutional means. Instead, the selection of the capable and virtuous leaders can only be secured if the citizenry is equipped with the ability to discern and vote for those whom they find to be most talented, rather than simply whom they most like. Promoting a political culture of respect for talented leaders, therefore, plays a crucial role in good governance in Confucian democracy.

7 Conclusion

HUANG Zongxi's plan of political reform has the potential to support a republican form of democracy because it was designed as a challenge to the mainstream Confucian political order. Historically, the Confucian political order has been marked by monarchism, hierarchy, rule of man, and an undue emphasis on personal virtuous influence over the exercise of power. The experience of malpractice in the last days of the Ming dynasty probably challenged Huang to critically reassess the tradition. As such, his proposal was largely internally reformist. Without abolishing the monarchy, he sought to limit its power. Without abandoning hierarchy, he sought to realign it with merit. Without rejecting the need for a good leader, he sought to constrain the exercise of power with proper laws. Without dismissing the role of virtue in politics, he sought to support its manifestation with well-designed institutions. Huang's reformist vision was

⁴ For Huang, the proper selection mechanism is the Han 漢 dynasty's "district recommendation and village selection" system under which, Huang believes, "a man of ability did not have to fear that he would go unrecognized" (Huang 1993: 115). Huang also believes that talents can be cultivated by schools, thus providing the state with all the "instrumentalities" for governance (Huang 1993: 104). In other words, Huang in general accepts that talents are both existent and discoverable for appointment.

fixed on improving the quality of governance *within* the monarchical-bureaucratic framework. *Waiting for the Dawn*, in short, is a theory of good governance.

The components of good governance, in Huang's view, overlap significantly with the major components advocated by the republican tradition. Huang took the role of power in the construction of the political realm extremely seriously: his vision in checks and balances, rational design of institutions, laws for the common good, and collective training and ethical cultivation are much in keeping with the key insights of republicanism. The lack of explicit democratic demands in Huang's vision does not hamper its congruence with republicanism, which, after all, does not consider democracy as a necessary component. In this respect, rather than dismissed from the liberal standpoint, *Waiting for the Dawn* is more effectively a version of republican theory of good governance. If political Confucianism is to be revived in the form of modern democracy, then perhaps we need look no further than Huang's robust political vision, which strongly supports an alternative version of good governance—a Confucian republican democracy.

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